

Letters Citing Small Jurisdiction Exception

Table summarizes information relating to “public generally” exception analysis conducted with regard to an official’s principal residence.

Advice Letter	General Rule Analyzed?	Small Jurisdiction Exception Analyzed?	Post-Phase 2?	Presumption of no conflict of interest under Phase 2 rules?
<i>Boga</i> , I-01-293 (Seal Beach)	Yes. Analysis conducted for economic interests other than the official’s residence.	Yes. All requirements of the small jurisdiction exception met.	Yes	N/A
<i>Swiney</i> , A-01-206 (Reedley)	Yes. Analysis conducted since requirements of the small jurisdiction exception were not met. However, general rule not met.	Because property was located within 500 feet, the requirements of the small jurisdiction exception were not met.	Yes	N/A
<i>Troedsson</i> , A-01-172 (Yountville)	Yes. Analysis conducted since requirements of the small jurisdiction exception were not met. However, general rule met.	Because property was located within 500 feet, the requirements of the small jurisdiction exception were not met.	Yes	N/A
<i>Johnson</i> , A-00-150 (Scotts Valley)	No. Small jurisdiction exception analysis used.	Yes. All requirements of the small jurisdiction exception were met.	No	No conflict of interest would be presumed now since residence located beyond 500 feet from the subject property.

Advice Letter	General Rule Analyzed?	Small Jurisdiction Exception Analyzed?	Post-Phase 2?	Presumption of no conflict of interest under Phase 2 rules?
<i>Biddison</i> , A-00-149 (Scotts Valley)	No. Small jurisdiction exception analysis used.	Yes. All requirements were met.	No	No conflict of interest would be presumed now since residence located beyond 500 feet from the subject property.
<i>Randolph</i> , A-00-130 (Half Moon Bay)	Yes. Analysis conducted for economic interests other than the official's residence.	Yes. All requirements were met.	No	Unable to determine due to insufficient facts.
<i>Barrett</i> , A-00-114 (Scotts Valley)	No. Small jurisdiction exception analysis used.	Yes. All requirements were met.	No	No conflict of interest would be presumed now since residence located beyond 500 feet from the subject property.
<i>Fogel</i> , A-00-109 (Scotts Valley)	No. Small jurisdiction exception analysis used.	Yes. All requirements were met.	No	No conflict of interest would be presumed now since residence located beyond 500 feet from the subject property.
<i>Shulman</i> , A-97-208 (Scotts Valley)	Yes. Analysis conducted for economic interests other than the official's residence.	Yes. All requirements were met.	No	Unable to determine due to insufficient facts.
<i>Johnson</i> , A-97-096 (Scotts Valley)	No. Small jurisdiction exception analysis used.	Yes. All requirements were met.	No	No conflict of interest would be presumed now since residence located beyond 500 feet from the subject property.

Advice Letter	General Rule Analyzed?	Small Jurisdiction Exception Analyzed?	Post-Phase 2?	Presumption of no conflict of interest under Phase 2 rules?
<i>Korb</i> , A-95-182 (Galt)	No. Small jurisdiction exception analysis used.	Yes. All requirements were met.	No	No conflict of interest would be presumed now since residence located beyond 500 feet from the subject property.
<i>Sloan</i> , A-95-178 (Portola Valley)	No. Small jurisdiction exception analysis used.	Yes. All requirements were met.	No	No conflict of interest would be presumed now since residence located beyond 500 feet from the subject property.
<i>Wolfe</i> , I-95-121 (Fowler)	Yes. Analysis conducted for economic interests other than the official's residence.	Yes. All requirements were met for 2 officials.	No	Unable to determine with respect to the 2 officials using the small jurisdiction exception due to insufficient facts.
<i>Hawkins</i> , A-95-026 (Half Moon Bay)	No. Small jurisdiction exception analysis used.	Yes. Assumed that all requirements were met.	No	No conflict of interest would be presumed now since residence located beyond 500 feet from the subject property.
<i>Logan</i> , A-93-100 (Grover City)	Yes. Letter analyzed situations of 16 officials. General rule was applied where an official's residence was within 300 feet of subject property. (Pre-Phase 2 letter)	Yes. Applied for those officials with facts that fit exception's criteria.	No	Unable to determine due to insufficient facts.

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<i>Hawkins</i> , A-92-070 (Half Moon Bay)	Cited, but letter concluded that requirements of general rule not met.	Yes. All requirements were probably met. * Unusual result where general rule does not apply but the small jurisdiction exception does.	No	No conflicts of interest would be presumed now since residences located beyond 500 feet from the subject property.
<i>Hayes</i> , A-91-385 (Lincoln)	Cited, but not analyzed.	Yes. Requirements were met for several officials.	No	No conflicts of interest would be presumed now since residences located beyond 500 feet from the subject property for several officials. For others, unable to determine due to insufficient facts.